



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** September 29, 2009

**TO:** Mayor and Councilmembers

**FROM:** Planning Division, Community Development Department

**SUBJECT:** Introduction Of Ordinance And Resolutions For The 2030 Las Canoas Road Annexation

**RECOMMENDATION:** That Council:

- A. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 28.12 (Zone Map) of Title 28 of the Municipal Code Pertaining to the Zoning of Certain Real Property Upon Annexation to Assessor's Parcel Number 021-030-039 located at 730 Las Canoas Place;
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Requesting Initiation of Proceedings for a Reorganization of Boundaries, Annexation to the City of Santa Barbara, and Detachment from the Santa Barbara County Fire Protection District, for Certain Real Property Presently Located at 2030 Las Canoas Road, Assessor's Parcel Number 021-010-061;
- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending the General Plan Map of the City of Santa Barbara Pertaining to the Designation of Certain Real Property Upon Annexation to Assessor's Parcel Number 021-030-039 Located at 730 Las Canoas Place; and
- D. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending the Hillside Design District Map of the City of Santa Barbara Pertaining to the Designation of Certain Real Property Upon Annexation to Assessor's Parcel Number 021-030-039 Located at 730 Las Canoas Place.

### EXECUTIVE SUMMARY:

On November 9, 2006, the Planning Commission approved a lot line adjustment between 730 Las Canoas Place (APN 021-030-039), a parcel located in the City, and 2030 Las Canoas Road (APN 021-010-060 & -061), a parcel located in the unincorporated area of Santa Barbara County, contingent upon the annexation of that portion of 2030 Las Canoas Road that would be added to the 730 Las Canoas Place parcel. A map is attached.

The 730 Las Canoas Place parcel has a City Zoning designation of A-1, One-Family Residence and a General Plan designation of Major Hillside. The 2030 Las Canoas Road parcel has an existing County Zoning designation of AG 1-10 (Agriculture with a minimum lot size of 10 acres gross land area per dwelling unit) and Mission Area Design Overlay.

The proposal is a request to introduce and subsequently adopt the Zoning Map Amendment and adopt Resolutions to initiate proceedings for a reorganization of boundaries, annexation to the City and detachment from the County Fire Protection District, as well as amend the General Plan Map and Hillside District Map.

The annexation application complies with the City Council Resolution 96-118, which requires that the subject parcels that are within the City's Sphere of Influence and are adjacent to the existing City boundaries. Therefore, Staff recommends that the area proposed to be annexed to the City have a Zoning Designation of A-1, One-Family Residence and a General Plan Designation of Major Hillside, to match the designations of the 730 Las Canoas Place parcel. Additionally, staff recommends that the annexed area be added to the City's Hillside Design District.

## **DISCUSSION:**

### **Background**

In 1989, the owners of 2030 Las Canoas Road (APN 021-010-060 & -061), a parcel located in the unincorporated area of Santa Barbara County, granted a landscape and use easement, consisting of approximately 1.70 acres of land (portion designated as APN 021-010-061), to the owners of 730 Las Canoas Place (APN 021-030-039), a parcel located in the City.

On September 4, 2003, at the request of Andrew and Kendra Feshbach, owners of 730 Las Canoas Place, and Andrew Effron, owner of 2030 Las Canoas Road, the Planning Commission initiated an annexation that included the entire 2030 Las Canoas Road parcel. At the hearing, the Planning Commission recommended that any future lot line adjustment be undertaken in such a way that there be no potential for the lots to be further subdivided.

Subsequently, the proposed project was revised to include only the easement area of the 2030 Las Canoas Road parcel. On November 9, 2006, the Planning Commission approved a lot line adjustment between the two properties that would result in the easement area becoming part of the 730 Las Canoas Place parcel, contingent upon the easement area being annexed to the City.

The lot line adjustment would not result in the potential for either parcel to be further subdivided or have an increase in development potential for additional or secondary dwelling units. The only development potential that each property may have is an addition to the existing residence or the demolition and rebuilding of new residences since only one

residence would be allowed per lot. Additionally, a lot split application for the 730 Las Canoas Place parcel is highly unlikely given that a lot area modification would be required and staff would not be in support of the request. After the lot line adjustment, 2030 Las Canoas Road would have a lot size of 2.26 acres and 730 Las Canoas Place would have a lot size of 3.96 acres. The proposed lot sizes are consistent with those of other existing lots in the area and cannot be further split, based on the zoning and slope of the lots.

The Planning Commission action also recommended that the City Council approve the Annexation, Zoning Map Amendment, General Plan Amendment, and Hillside Design District Map Amendment.

Although the 2030 Las Canoas Road parcel is one legal lot, it has two separate assessor's parcel numbers, as shown above. The easement area subject to the annexation is described as APN 021-010-061. Following the 2006 Planning Commission hearing, the project was subject to a long delay due to the County of Santa Barbara requiring that the property owner proceed with the merger of the two assessor's parcels. The merger has been recorded; however, as of this writing, a new assessor's parcel number has not been assigned. The legal descriptions of the area to be annexed, as well as the adjusted parcels, are included in the attached Ordinance and Resolutions.

### **Project Description**

The current proposal is a request to introduce and subsequently adopt the Zoning Map Amendment and adopt Resolutions to initiate proceedings for a reorganization of boundaries, annexation to the City and detachment from the County Fire Protection District, as well as amend the General Plan Map and Hillside District Map.

The 2030 Las Canoas Road parcel has an existing County Zoning designation of AG 1-10 (Agriculture with a minimum lot size of 10 acres gross land area per dwelling unit) and Mission Area Design Overlay. The 730 Las Canoas Place parcel has a City Zoning designation of A-1, One-Family Residence and a General Plan designation of Major Hillside.

Staff recommends that the area proposed to be annexed to the City have a Zoning Designation of A-1, One-Family Residence and a General Plan Designation of Major Hillside, to match the designations of the 730 Las Canoas Place parcel. Additionally, staff recommends that the annexed area be added to the City's Hillside Design District.

Both properties currently contain a single-family residence, and no additional development is proposed on either property. Both parcels would continue to be served by City water and by private septic systems, as there are no city sewer lines in the vicinity.

## **Annexation Request**

City Council Resolution 96-118 establishes procedures for reviewing applications for annexation of territory to the City of Santa Barbara. This resolution limits the acceptance of applications requesting the initiation of annexations to parcels that are within the City's Sphere of Influence and are adjacent to the existing City boundaries. The application complies with the procedures and requirements established in Resolution 96-118.

## **Environmental Review**

The Environmental Analyst has determined that the project qualifies for an exemption per California Environmental Quality Act (CEQA) Section 15305 (3) on minor lot line adjustments.

## **Next Steps**

If the annexation is approved by Council, the proposed Zoning Ordinance Amendment will return to Council for a second reading and adoption on October 6, 2009. Following action by the Council, City staff will transmit the application for the annexation to LAFCO. Also, a property tax exchange agreement between the City and County will be prepared after the application is submitted to LAFCO. Following LAFCO consideration and approval of these actions, LAFCO will transmit a Certificate of Completion to the County Recorder and a Statement of Boundary Change to the State Board of Equalization.

## **BUDGET/FINANCIAL INFORMATION:**

### **Property Tax**

State law governing annexations requires that the City and the County negotiate a tax exchange agreement. The tax exchange agreement determines what portion of the property tax paid on the property will be allocated to the City. After the annexation application is submitted to LAFCO, the tax exchange agreement will be negotiated and subsequently, a resolution providing for a negotiated exchange of property tax revenues will be prepared for Council approval.

### **Annexation Buy-in Fees**

Chapter 4.04 of the Municipal Code (Annexation and Charges) requires owners of annexed property to pay an annexation "buy-in" fee for potential units to be developed on the property. The annexation fee amount is set by City Council Resolution based on the value of municipal improvements and the acreage of land in the City. Because the project will not result in the addition of any new units on the site, no buy-in fees are required. In addition, the property is already served by city water and has no sewer service.

**RECOMMENDATION:**

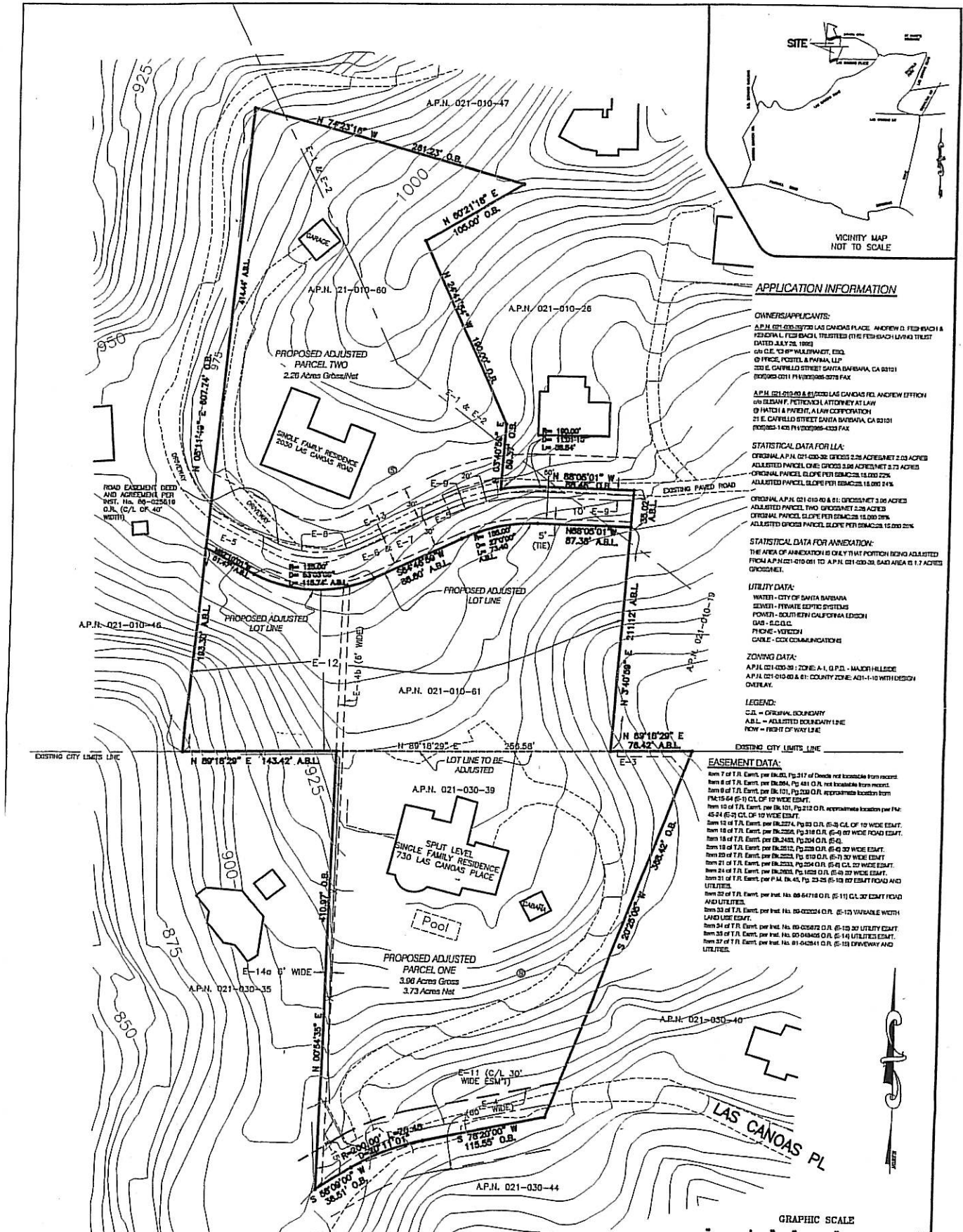
The project is consistent with the current annexation requirements in that the parcel is located within the City's Sphere of Influence and adjacent to City boundaries. The proposed Zoning and General Plan designations can be found consistent with the pattern of development of the existing neighborhood. Therefore, staff recommends that Council consent to the reorganization request including the General Plan, Zoning Map, and Hillside Design District Map Amendments, introduce and subsequently adopt the ordinance, and adopt the resolutions.

**ATTACHMENT:** Annexation and Tentative Lot Line Adjustment Map

**PREPARED BY:** Kathleen Kennedy, Associate Planner

**SUBMITTED BY:** Paul Casey, Community Development Director

**APPROVED BY:** City Administrator's Office



**APPLICATION INFORMATION**

**OWNERS/APPLICANTS:**  
 A.P.N. 021-010-47, 021-010-60, 021-010-26, 021-010-46, 021-010-61, 021-030-39, 021-030-35, 021-030-40, 021-030-44  
 THE FISHBACH TRUST (THE FISHBACH LAND TRUST)  
 DATED JULY 26, 1995  
 200 E. CARLETO STREET SANTA BARBARA, CA 93101  
 (805) 962-0211 FAX (805) 962-0278 FAX

**APPLICANT'S ATTORNEY:**  
 ANDREW E. FRIDMAN  
 200 E. CARLETO STREET SANTA BARBARA, CA 93101  
 (805) 962-0211 FAX (805) 962-0278 FAX

**STATISTICAL DATA FOR LLA:**  
 ORIGINAL A.P.N. 021-030-39, 021-030-35, 021-030-40, 021-030-44  
 ADJUSTED PARCEL ONE: GROSS 3.96 ACRES NET 3.73 ACRES  
 ORIGINAL PARCEL ONE: GROSS 3.96 ACRES NET 3.73 ACRES  
 ADJUSTED PARCEL TWO: GROSS 2.26 ACRES NET 2.26 ACRES  
 ORIGINAL PARCEL TWO: GROSS 2.26 ACRES NET 2.26 ACRES  
 ADJUSTED GROSS PARCEL SLOPE PER DEMARCUS 15.000 22%  
 ORIGINAL GROSS PARCEL SLOPE PER DEMARCUS 15.000 22%

**STATISTICAL DATA FOR ANNEXATION:**  
 THE AREA OF ANNEXATION IS ONLY THAT PORTION BEING ADJUSTED  
 FROM A.P.N. 021-010-47, 021-010-60, 021-010-26, 021-010-46, 021-010-61, 021-030-39, 021-030-35, 021-030-40, 021-030-44  
 ADJUSTED GROSS PARCEL SLOPE PER DEMARCUS 15.000 22%  
 ORIGINAL GROSS PARCEL SLOPE PER DEMARCUS 15.000 22%

**UTILITY DATA:**  
 WATER - CITY OF SANTA BARBARA  
 SEWER - PRIVATE SEPTIC SYSTEMS  
 POWER - SOUTH KERN CALIFORNIA Edison  
 GAS - S.D.G.S.D.  
 PHONE - VERIZON  
 CABLE - COX COMMUNICATIONS

**ZONING DATA:**  
 A.P.N. 021-030-39, 021-030-35, 021-030-40, 021-030-44: ZONE A-1, D.P.D., MAJOR HOUSE  
 A.P.N. 021-010-47, 021-010-60, 021-010-26, 021-010-46, 021-010-61: ZONE A-1, D.P.D., MAJOR HOUSE  
 A.P.N. 021-010-47, 021-010-60, 021-010-26, 021-010-46, 021-010-61: ZONE A-1, D.P.D., MAJOR HOUSE  
 A.P.N. 021-030-39, 021-030-35, 021-030-40, 021-030-44: ZONE A-1, D.P.D., MAJOR HOUSE

**LEGEND:**  
 C.L. = ORIGINAL BOUNDARY  
 A.B.L. = ADJUSTED BOUNDARY LINE  
 D.W. = RIGHT OF WAY LINE

**EASEMENT DATA:**  
 Item 7 of T.R. Exempt, per B.L. 101, Pg. 217 of Deeds not includable from record.  
 Item 8 of T.R. Exempt, per B.L. 101, Pg. 217 of Deeds not includable from record.  
 Item 9 of T.R. Exempt, per B.L. 101, Pg. 217 of Deeds not includable from record.  
 Item 10 of T.R. Exempt, per B.L. 101, Pg. 217 of Deeds not includable from record.  
 Item 11 of T.R. Exempt, per B.L. 101, Pg. 217 of Deeds not includable from record.  
 Item 12 of T.R. Exempt, per B.L. 101, Pg. 217 of Deeds not includable from record.  
 Item 13 of T.R. Exempt, per B.L. 101, Pg. 217 of Deeds not includable from record.  
 Item 14 of T.R. Exempt, per B.L. 101, Pg. 217 of Deeds not includable from record.  
 Item 15 of T.R. Exempt, per B.L. 101, Pg. 217 of Deeds not includable from record.  
 Item 16 of T.R. Exempt, per B.L. 101, Pg. 217 of Deeds not includable from record.  
 Item 17 of T.R. Exempt, per B.L. 101, Pg. 217 of Deeds not includable from record.  
 Item 18 of T.R. Exempt, per B.L. 101, Pg. 217 of Deeds not includable from record.  
 Item 19 of T.R. Exempt, per B.L. 101, Pg. 217 of Deeds not includable from record.  
 Item 20 of T.R. Exempt, per B.L. 101, Pg. 217 of Deeds not includable from record.  
 Item 21 of T.R. Exempt, per B.L. 101, Pg. 217 of Deeds not includable from record.  
 Item 22 of T.R. Exempt, per B.L. 101, Pg. 217 of Deeds not includable from record.  
 Item 23 of T.R. Exempt, per B.L. 101, Pg. 217 of Deeds not includable from record.  
 Item 24 of T.R. Exempt, per B.L. 101, Pg. 217 of Deeds not includable from record.  
 Item 25 of T.R. Exempt, per B.L. 101, Pg. 217 of Deeds not includable from record.  
 Item 26 of T.R. Exempt, per B.L. 101, Pg. 217 of Deeds not includable from record.  
 Item 27 of T.R. Exempt, per B.L. 101, Pg. 217 of Deeds not includable from record.  
 Item 28 of T.R. Exempt, per B.L. 101, Pg. 217 of Deeds not includable from record.  
 Item 29 of T.R. Exempt, per B.L. 101, Pg. 217 of Deeds not includable from record.  
 Item 30 of T.R. Exempt, per B.L. 101, Pg. 217 of Deeds not includable from record.  
 Item 31 of T.R. Exempt, per B.L. 101, Pg. 217 of Deeds not includable from record.  
 Item 32 of T.R. Exempt, per B.L. 101, Pg. 217 of Deeds not includable from record.  
 Item 33 of T.R. Exempt, per B.L. 101, Pg. 217 of Deeds not includable from record.  
 Item 34 of T.R. Exempt, per B.L. 101, Pg. 217 of Deeds not includable from record.  
 Item 35 of T.R. Exempt, per B.L. 101, Pg. 217 of Deeds not includable from record.  
 Item 36 of T.R. Exempt, per B.L. 101, Pg. 217 of Deeds not includable from record.  
 Item 37 of T.R. Exempt, per B.L. 101, Pg. 217 of Deeds not includable from record.

**NOTES:**  
 1. TOPOGRAPHY IS CITY OF SANTA BARBARA PUBLIC WORKS 1" = 100' AERIAL PHOTOGRAPHY PER 1995 DIGITAL BASE MAP WITH DEC. 2000 UPDATE.  
 2. DATUM: USCGS NAVD83 DATUM.  
 3. BOUNDARY: BASIS OF SURVEY IS RECORD PER PARCEL MAP BOOK 41, PAGE 96, PARCEL MAP BOOK 15, PG. 54 S.B. CO.  
 4. EASEMENTS: EASEMENTS ARE PLOTTED PER FIRST AMERICAN TITLE COMPANY REPORT 1. 4201-803875 MARCH 25, 2004. ONLY EASEMENTS AFFECTING THE FEE PARCELS OF THE TITLE REPORT (PCL. 1 AND PCL. 4) ARE PLOTTED. T.R. = TITLE REPORT  
 5. ORIGINAL FISHBACH PROPERTY: A.P.N. 021-030-39 = 2.26 ACRES  
 ORIGINAL EFFRON PROPERTY: A.P.N.s 021-010-60 & 61 = 3.96 ACRES.  
 D = INDICATES APPROXIMATE LOCATION OF SEPTIC SYSTEM.

**REQUEST CERTIFICATE:**  
 I HEREBY APPLY FOR THE APPROVAL OF A LOT LINE ADJUSTMENT BETWEEN THE REAL PROPERTIES SHOWN ON THIS PLAT, AS WELL AS THE ANNEXATION OF THE ADJUSTED AREA TO THE CITY OF SANTA BARBARA, AND CERTIFY THAT I AM THE AUTHORIZED AGENT OF SAID OWNER, AND THAT THE INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE.  
 C. E. WILSON, Esq. (AGENT) DATE 10/31/06  
 C.E. WILSON, Esq. (AGENT)  
 Price, Foster & Parnia, LLP  
 200 E. Carleto St. Suite 400  
 Santa Barbara, CA 93101  
 (805) 962-0211 FAX (805) 962-0278 FAX

**ANNEXATION & TENTATIVE LOT LINE ADJUSTMENT EXHIBIT MAP**  
 BETWEEN 730 LAS CANOAS PLACE & 2030 LAS CANOAS ROAD  
 A.P.N. No. 021-030-39 & A.P.N. 021-010-47, 021-010-60, 021-010-26, 021-010-46, 021-010-61  
 BEING PARCEL 1 OF P.M. DL. 4179, 98 AND PARCEL A OF P.M. DL. 10, PG. 54  
 CITY OF SANTA BARBARA ~ COUNTY OF SANTA BARBARA ~ STATE OF CALIFORNIA  
 ~ OCTOBER 2006 ~

PREPARED BY: **WATERS LAND SURVEYING INC.**  
 3055 HOLLYHURST AVENUE SUITE 7 & 8  
 GOLETA, CALIFORNIA 93117 (805) 962-0426  
 10/31/06  
 J. E. WATERS, PLS 3604

THE ORIGINAL MAPPING FOR THE TWO PARCELS IN QUESTION USE DIFFERENT BASIS OF ADJUSTMENTS THEREFORE SOME OF THE BEARINGS AND DISTANCES SHOWN HEREON MAY VARY FROM THE RECORDED DOCUMENTS. THE FINAL DESCRIPTIONS PREPARED FOR THE LOT LINE ADJUSTMENT AND ANNEXATION DOCUMENTS WILL BE RELATED TO ONE BASIS.

**RETRAIL MAPPING:** MARCH 2003  
 UPDATE: JULY 2003  
 UPDATE: APRIL 2004  
 UPDATE: JULY 2004  
 UPDATE: OCTOBER 2005  
 UPDATE: JANUARY 2006

**UPDATE:** MARCH 2006  
 UPDATE: AUGUST 2006  
 UPDATE: OCTOBER 2006